

ORIGINAL

920302ME

ERIC HILDING

FCC MAIL SECTION

P.O. Box 1700 * Morgan Hill, CA 95038-1700

MAR 2 11 52 AM '92

RECEIVED BY

February 29, 1992

*** VIA FEDERAL EXPRESS ***

Ms. Donna R. Searcy, Secretary
FEDERAL COMMUNICATIONS COMMISSION
1919 "M" Street, N.W.
Washington, D.C. 20554

Re: Amendment To Application
For New FM (Windsor, CA)
FCC File # BPH-911115MR

Dear Ms. Searcy:

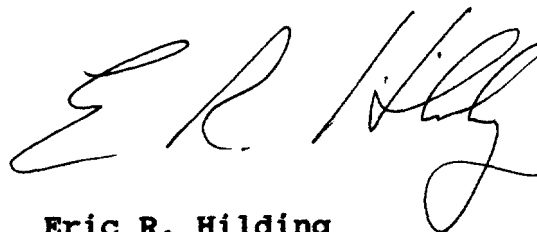
Pursuant to the Commission's rules, attached please find an original plus two (2) copies of the following amendment(s) for the above-referenced application:

1. FCC Form 301 Page 6 (substitute for that on file)
2. Exhibit A-3 thereto (substitute for that on file)

Should any questions arise in this matter, do not hesitate to contact me immediately at (408)842-2222.

Thank you in advance for your assistance.

Cordially,



Eric R. Hilding

w/Certificate of Service
and attachments as noted

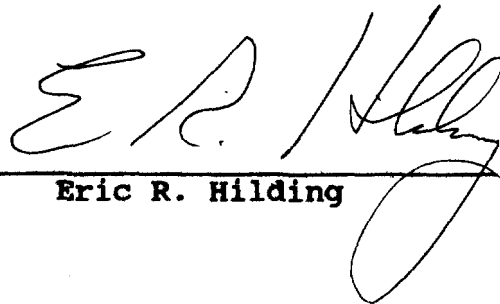
CERTIFICATE OF SERVICE

I, Eric R. Hilding, under penalty of perjury, hereby declare a copy of the foregoing "Amendment To Application" has been sent via First Class Mail, U.S. postage prepaid, today, February 29, 1992, to each of the following:

Nancy L. Dewey
Barney L. Dewey
WINDSOR WIRELESS
6551 Circle Hill Drive
San Jose, CA 95120

Margery E. Clark
8401 Oak Way
Windsor, CA 95492

Peter A. Casciato, Esquire
A Professional Corporation
1500 Sansome St. #201
San Francisco, CA 94111
- Counsel for Judy Yep Hughes



Eric R. Hilding

SECTION III - FINANCIAL QUALIFICATIONS

NOTE: If this application is for a change in an operating facility do not fill out this section.

1. The applicant certifies that sufficient net liquid assets are on hand or that sufficient funds are available from committed sources to construct and operate the requested facilities for three months without revenue.
2. State the total funds you estimate are necessary to construct and operate the requested facility for three months without revenue.
3. Identify each source of funds, including the name, address, and telephone number of the source (and a contact person if the source is an entity), the relationship (if any) of the source to the applicant, and the amount of funds to be supplied by each source.

Source of Funds (Name and Address)	Telephone Number	Relationship	Amount
Dr. & Mrs. Arthur W. Hilding 12130 Calle Uvas Gilroy, CA 95020	(408)842-2223	Parents	\$160,000

INTEGRATION STATEMENT

Eric R. Hilding is an individual applicant with 100% ownership and management control. He propose to work 40 (or more) hours per week at the new FM station in the full-time capacity of General Manager. Mr. Hilding's duties will include, but are not limited to, the following:

1. Overall management of station operations and personnel to include any part-time employees;
2. Short, medium and long-range planning as well as the managing of the financial affairs of the station;
3. Interface with local community organizations in Windsor and the service area;
4. Responsibility for programming direction to include the supervision of music aired on the station;
5. Supervision of station construction activities as well as equipment selection and engineering;
6. Administrative management and supervision of traffic and billing operations and secretarial staff;
7. Responsibility for direction of marketing and sales activities for the new FM station.

In order to accomplish his integration proposal, Hilding will terminate any then current employment activities (whether of a full-time, part-time or other nature) including that of

Eric R. Hilding is a United States of America citizen and believes that the Commission's questions on FCC Form 301 evoking "local residence" for either community of license and/or service area preferential treatment in the selection of a best qualified applicant are a violation of his civil rights to equal opportunity as intended by the U.S. Constitution, regardless of current U.S. residence before grant of an FCC permit. He does intend to move to Windsor prior to program test authority for the new FM, which may be construed as future residence credit.

As original Channel Petitioner for a new FM allotment at Windsor, California, Eric R. Hilding claims a "Pioneer (or) Channel Petitioner Preference" enhancement for his efforts, time and expense which has resulted in a public service benefit. Hilding may claim "double" such credit as may be applicable.

Eric R. Hilding claims additional Public Service Benefit enhancement credit as the initiator of approximately 15 new FM services allotments within the state of California, many of which resulted in a "first local service" to the public.

Due to certain topographical considerations in the new Windsor FM service area, Eric R. Hilding claims a "Technical Merit" enhancement for the proposed use of a single-bay FM antenna in order to reduce multi-path interference and better serve the public interest. Additional enhancement credit is claimed for the use of compact disc quality music service, as well as any Satellite and/or digital audio delivery vehicles since these have evolved into "best possible service" attribute requirements of any broadcast station in today's "hi-tech" consumer marketplace. Eric R. Hilding claims additional credit for any new technology which may become available and utilized.

Auxiliary Power enhancement credit is claimed for Hilding's proposed use of back-up electrical power generators at both the transmitter and studio locations, in order to insure continuity of programming to the public within Windsor, California, and the entire service area.

Eric R. Hilding claims an enhancement for U.S. Military service in the defense of the United States of America. He also claims enhancement for substantial community and public service (civic) participation in various communities, and that it is a violation of his civil rights and equal protection for the Commission to discriminate between civic involvement in any capacity, whether within a "community of license", "service area" or other locale. "Equal footing" civic participation credit enhancement is claimed regardless of area of service. Since the implied "community service" preference is allegedly a "yardstick" of an applicant's past willingness to become an effective "interface" with the public, discrimination against any applicant by geographical area is at best, an absurdity.

Eric R. Hilding claims multiple broadcast experience preferences to include a "bonus" preference for accumulated "diversity" of broadcast and media experience in a wide variety of positions including management.

Eric R. Hilding is a Cable TV Commissioner appointed by the Morgan Hill City Council, and has held the position since July, 1987. He currently serves as Chairperson.

Eric R. Hilding works as an independent program producer and announcer on KSQQ Radio, Morgan Hill, California, with a special two-hour program Monday through Friday evenings. He

has done this since January 21, 1991. The program format is Hilding's development, with it's focus being that of airing "positive" oriented program content, another preference sought.

Eric R. Hilding was Sales Manager of KSCO Radio, Santa Cruz, California, from June 15, 1987 until approximately December 28, 1987, when he assumed additional responsibilities as Sales Manager of KLRS-FM, Santa Cruz, CA. He resigned from both stations effective September 30, 1988, and continued on in less than a full-time position until November 22, 1988. The format at KSCO was oldies/MOR; KLRS was New Age/Jazz.

Eric R. Hilding hosted a regular weekend airshift on station KLOK-AM, San Jose, California, from approximately October, 1985, through July 4, 1986. He also did vacation and emergency relief. The format was adult contemporary.

Eric R. Hilding hosted a regular Saturday and Sunday afternoon airshift during the period of approximately March 30, 1985, through September 1, 1985, as well as occasional vacation and emergency replacement airshifts. The format at KBAY was beautiful music. He also broadcast critical major fire info.

Eric R. Hilding was Program Director at KIDD Radio in Monterey, California, from February, 1984 through August, 1984, including management responsibilities. He previously worked a regular weekend airshift from about November, 1983 through early February, 1984. The format at KIDD was adult contemporary.

Eric R. Hilding hosted a regular weekend airshift on KDON-FM Radio, Salinas, California during most of both September and October, 1983. The format @ KDON-FM was CHR/adult contemporary.

Eric R. Hilding assisted the new owners of KWSS (KFAT) Radio, Gilroy, California, during ownership transition by working a two week airshift until the regular new staff arrived. The format was an "odd" variety of music including country.

Eric R. Hilding hosted a two regular weekend airshifts at KNRV Radio, Monterey, California, from about September, 1982 through February or March, 1982. The format at KNRV was oldies, and included various public affairs programs.

Eric R. Hilding was employed as an Account Executive at KTFX Radio, Tulsa, Oklahoma, from November, 1979 through late March or early April of 1980. The format at KTFX was known as "Modern Country".

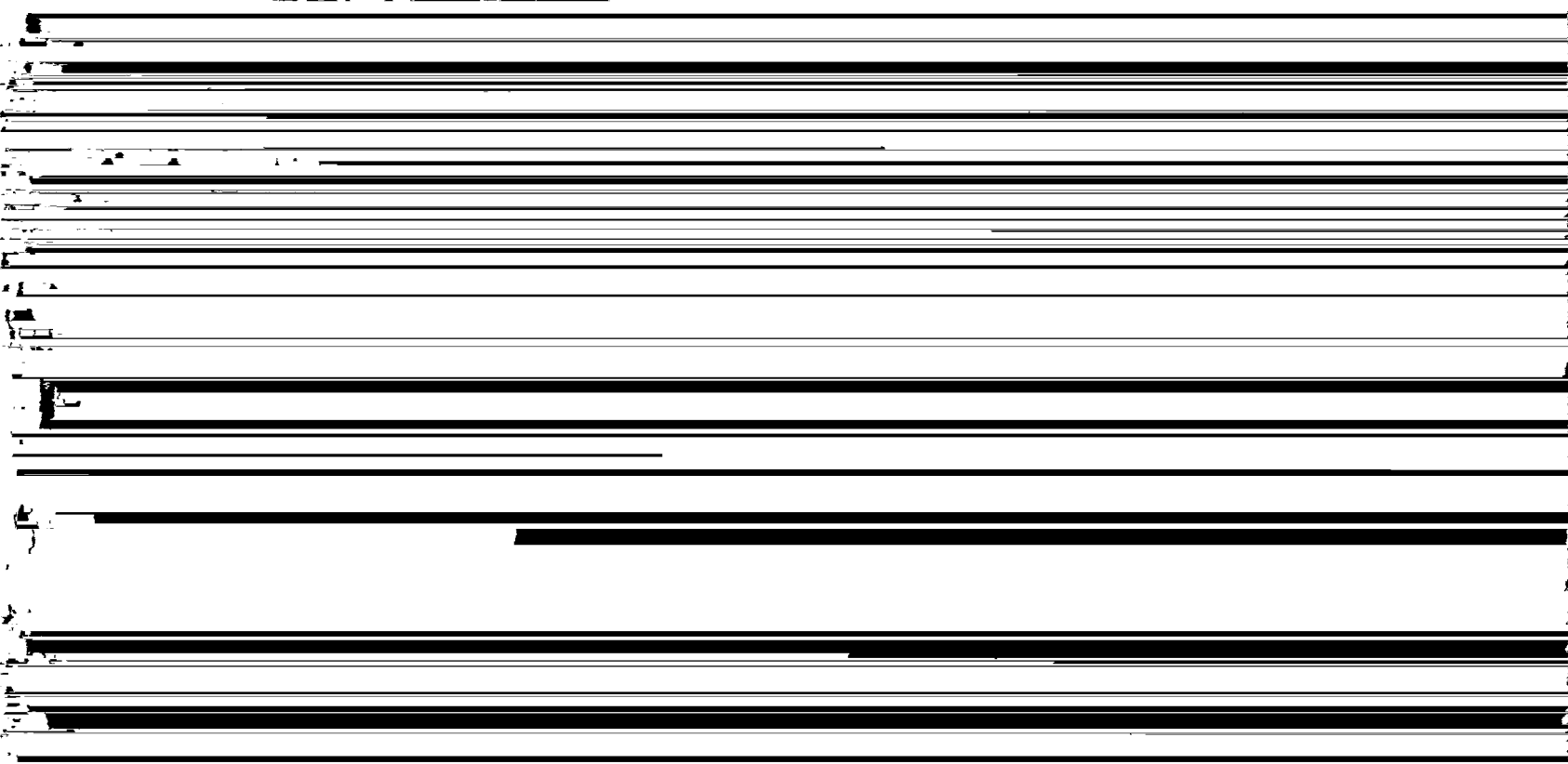
Eric R. Hilding claims enhancement credit for his various broadcast application engineering work before the Commission, to include his Petition For Reconsideration in MM Docket No. 86-144, which resulted in the revision of Commission rules to benefit Class A station owners and operators by now providing for the use of higher elevation antenna sites to better serve the public. FM Allocation Rules, 3 FCC Rcd 2477 (1988).

Eric R. Hilding claims a credit enhancement for "other media" experience, including television, print and advertising agency business and related broadcast talent experience.

Eric R. Hilding also claims an additional, and extremely long overdue, "accomodation" enhancement preference as partial compensation the Commission's failure to act responsibly on his "Petition For Rulemaking To Amend 1965 Policy On Comparative Broadcast Hearings" which has been in excessive "limbo" at the Commission since May, 1985. Arbitrary, Capricious and Abuse

of Agency Discretion at best describe the Commission's failures to take appropriate action. In 1987 the Commission acknowledged to the United States Court of Appeals for the Ninth Circuit, in Eric R. Hilding v. Federal Communications Commission, that said petition was still "pending", and inferred forthwith action. Now, almost five (5) more years have elapsed with no response from the Commission. Someone should be fired for such gross bureaucratic failures, which has caused applicant substantial emotional and physical hardship resulting from many unnecessary discriminations in broadcast application proceedings during the Commission's almost seven (7) period of inaction.

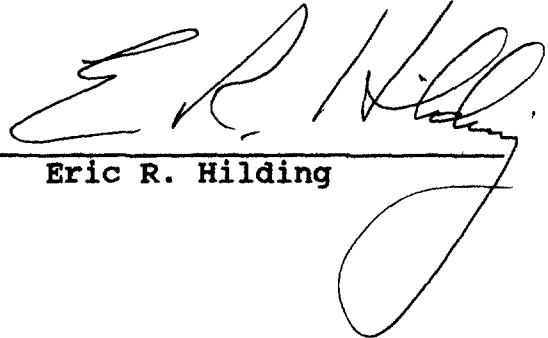
Eric R. Hilding finally seeks an additional "accomodation" enhancement preference for the Commission's past discriminatory actions of allowing both "minority" and "female" applicants to be "excused" from failing to comply with application processing requirements for which Hilding was forced to comply. The most classic, of course, was that of allowing a "Black" applicant to late file his Integration/Diversification statement, thereby receiving special "minority" preference in spite of an alleged



DECLARATION UNDER PENALTY OF PERJURY

Eric R. Hilding declares under penalty of perjury that the foregoing is true and correct to the best of his knowledge.

Date: February 29, 1992



Eric R. Hilding